

OGC Has Reviewed

Security Information

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26 January 1953

ATTENTION: [REDACTED]

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Deputy General Counsel

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[REDACTED] Employment Contract

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1. Returned herewith is [REDACTED] dated 23 December 1952, which requested technical advice on a [REDACTED] Employment Agreement. The Agreement as redrafted is attached for forwarding to the field. It must be borne in mind that any agreement written here is not intended to be followed blindly and that the field should exercise its judgment in modifying the wording to fit their specific purposes. The attached form does incorporate certain features which we feel to be desirable.

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2. The differences between the proposed agreement from the field and the one written here are as follows:

a. The revised agreement constitutes a full arrangement between the parties, including a statement of basic rate of pay and relationship and is not solely related to benefits in the event of death or disability.

b. Words such as employment or employee have been deleted to avoid possible implication that the individual is an employee of the United States Government which carries certain benefits under law which are not appropriate.

c. We have eliminated reference to job title and name and number of vessel as being unnecessary and constituting possible security hazard.

d. We have included rate of pay and type of currency. Included in that paragraph is reference to length of service and provision for 15 days' notice in event of termination.

e. Determination of death and disability to perform duties is vested in the contracting officer to fix the point of responsibility. For this and other purposes, the agreement calls for signature of both the individual and the contracting officer rather than a unilateral document as proposed. It is suggested the individual's signature be followed by English for identification purposes.

3. We should like to comment generally that the document as proposed by the field, while changed considerably, still represents a very good effort to avoid future problems in this area. It is

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assumed that this particular situation involves an approved project since project procedures, both OPC and OSO, require inclusion of such commitments in project outlines. The OPC [REDACTED] and the OSO [REDACTED] in the Field Manual. The regulations further provide for forwarding a copy of the final copy of the contract to headquarters.

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4. It is suggested that some of the above comments be included in your pouch to the field together with such other matters as you feel desirable. If further assistance is desired, will you please call on the undersigned.

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[REDACTED]
OGC/JSW;mb

Distribution:

Orig - Addressee w/b file
2 - OGC
1 - Signer
1 - [REDACTED]

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